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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

ORACLE USA, INC., a Colorado  
 corporation; ORACLE AMERICA,  
 INC., a Delaware corporation; and  
 ORACLE INTERNATIONAL  
 CORPORATION, a California  
 corporation,

Plaintiffs,

v.

RIMINI STREET, INC., a Nevada  
 corporation; SETH RAVIN, an  
 individual

Defendants.

Case No. 2: 10-cv-0106-LRH-PAL

**PLAINTIFFS' MOTION TO SEAL  
 UNREDACTED COPY OF PLAINTIFFS'  
 MOTION TO MODIFY PROTECTIVE ORDER  
 AND EXHIBITS E, F, G, H, I, J, K, L, AND M TO  
 THE DECLARATION OF KEVIN M. PAPAY**

Pursuant to the Stipulated Protective Order governing confidentiality of documents entered by the Court on May 21, 2010, Dkt. 55 (“Protective Order”), and Rules 5.2 and 26(c) of the Federal Rules of Civil Procedure, Plaintiffs Oracle USA, Inc., Oracle America, Inc., and Oracle International Corporation (together “Oracle” or “Plaintiffs”) respectfully request that the Court order the Clerk of the Court to file under seal an unredacted copy of Plaintiffs’ Motion to Modify Protective Order (the “Motion to Modify”) as well as Exhibits E, F, G, H, I, J, K, L, and M to the Declaration of Kevin M. Papay in Support of Plaintiffs’ Motion to Modify Protective Order (the “Papay Declaration”). Unredacted copies of the Motion to Modify, as well as Exhibits E, F, G, H, I, J, K, L, and M, were individually lodged under seal with the Court on September 7, 2012. *See* Dkt. 388-397.

Sealing of the unredacted Motion to Modify is requested because the redacted portions of the motion contain information that CedarCrestone, Inc. (“CedarCrestone”), the party which produced the information, has designated as “Confidential Information” and “Highly Confidential Information – Attorneys’ Eyes Only” under the terms of the Protective Order. Likewise, sealing of Exhibits E, F, G, H, I, J, K, L, and M is requested because these documents have been designated as “Confidential Information” and “Highly Confidential Information – Attorneys’ Eyes Only” by CedarCrestone. The Protective Order states, “Counsel for any Designating Party may designate any Discovery Material as ‘Confidential Information’ and ‘Highly Confidential Information – Attorneys’ Eyes Only’ under the terms of this Protective Order **only if such counsel in good faith believes that such Discovery Material contains such information and is subject to protection under Federal Rule of Civil Procedure 26(c).** The designation by any Designating Party of any Discovery Material as ‘Confidential Information’ or ‘Highly Confidential Information – Attorneys’ Eyes Only’ shall constitute a representation that an attorney for the Designating Party reasonably believes there is a valid basis for such designation.” Protective Order ¶ 2 (emphasis supplied).

CedarCrestone has identified the information redacted in the Motion to Modify as well as Exhibits E, F, G, H, I, J, K, L, and M as Confidential and Highly Confidential, and therefore

1 CedarCrestone has represented that good cause exists for sealing those portions of the  
2 documents. This is a sufficient showing of good cause to permit a sealing order on a non-  
3 dispositive motion. *See, e.g., Pac. Gas & Elec. Co. v. Lynch*, 216 F. Supp. 2d 1016, 1027 (N.D.  
4 Cal. 2002).

5 Oracle has submitted all non-redacted portions of the Motion to Modify as well as other  
6 exhibits to the Papay Declaration for filing in in Court's public files, which allows the public  
7 access to all but the redacted portions of the Motion to Modify and Exhibits E, F, G, H, I, J, K, L,  
8 and M. Accordingly, the request to seal is narrowly tailored.

9 For the foregoing reasons, Oracle respectfully requests that the Court find that good cause  
10 exists to file under seal the unredacted copy of the Motion to Modify and Exhibits E, F, G, H, I,  
11 J, K, L, and M to the Papay Declaration.  
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14 DATED: September 7, 2012

BINGHAM McCUTCHEN LLP

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17 By: /s/ Geoffrey M. Howard

18 Geoffrey M. Howard  
19 Attorneys for Plaintiffs  
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UNITED STATES DISTRICT COURT  
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ORACLE USA, INC., a Colorado  
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Case No. 2: 10-cv-0106-LRH-PAL

**[PROPOSED] ORDER GRANTING  
 PLAINTIFFS' MOTION TO SEAL  
 UNREDACTED COPY OF PLAINTIFFS'  
 MOTION TO MODIFY PROTECTIVE ORDER  
 AND EXHIBITS E, F, G, H, I, J, K, L, AND M TO  
 THE DECLARATION OF KEVIN M. PAPAY**

**[PROPOSED] ORDER**

Pending before this Court is Plaintiffs Oracle USA, Inc., Oracle America, Inc., and Oracle International Corporation (together “Oracle” or “Plaintiffs”) Motion to Seal Unredacted Copy of Plaintiffs’ Motion to Modify Protective Order [Dkt. 388] and Exhibit E [Dkt.389], Exhibit F [Dkt. 390], Exhibit G [Dkt. 391], Exhibit H [Dkt. 392], Exhibit I [Dkt. 393], Exhibit J [Dkt. 394], Exhibit K [Dkt. 395], Exhibit L [Dkt. 396], and Exhibit M [Dkt. 397] to the Declaration of Kevin M. Papay. Federal Rule of Civil Procedure 26(c) provides broad discretion for a trial court to permit sealing of court documents for, inter alia, the protection of “a trade secret or other confidential research, development, or commercial information.” Fed. R. Civ. P. 26(c). Having considered Plaintiffs’ Motion to Seal, compelling reasons having been shown, and good cause existing:

IT IS HEREBY ORDERED THAT Plaintiffs’ Motion to Seal is GRANTED. The Clerk of the Court shall file under seal the unredacted copy of Plaintiffs’ Motion to Modify Protective Order and Exhibits E, F, G, H, I, J, K, L, and M to the Declaration of Kevin M. Papay in Support of Plaintiffs’ Motion to Modify Protective Order.

IT IS SO ORDERED.

DATED: \_\_\_\_\_, 2012

By: \_\_\_\_\_